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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: :  
Birdsall, et al. :  
Serial No.: 10/029,553 : Group Art Unit: 1733  
Filed: 12/20/2001 :  
For: Profiled Stent and Method of Manufacture : Primary Examiner: Thaler, M.  
Atty. Docket No.: P105 CON 3 :

Mail Stop: AF  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the  
decision of the Primary Examiner dated June 4, 2003, finally rejecting claims 20-41.

09/09/2003 MGBREM1 00000039 012525 10029553  
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TECHNOLOGY CENTER R3700

The Commissioner is authorized to charge Deposit Account No. **01-2525** in amount of **\$320.00** to cover the fee for this Notice of Appeal. Further, the Commissioner is authorized to charge any additional fees that may be due to the same Deposit Account No. 01-2525. A duplicate copy of this Notice is enclosed herewith.

Respectfully submitted,

*Sept 3, 2003*      *Janis Biksa*

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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in the envelope addressed to the: Mail Stop AF, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: *Sept. 4*, 2003

*Nancy P. Bean*  
Nancy P. Bean